

REMARKS

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Claims 1 - 17 are pending in the present application.

Applicants amended the specification to correct minor errors in English usage.

In section 2 of the Office Action, claims 1 - 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,139,302 to Hung et al. (hereinafter "the Hung et al. patent") in view of U.S. Patent No. 5,675,412 to Solomon (hereinafter "the Solomon patent").

The present application contains two independent claims, namely claims 1 and 15. Applicants amended claims 1 and 15 to clarify a feature that is neither described nor suggested by either of the cited references.

Claim 1 provides for a measurement unit for measuring an optical device under test (DUT). The measurement unit includes an optical circuit for providing an optical signal from and/or to the DUT via a fiber connection, and a shielding unit for holding the optical circuit and for providing at least a partial shielding of the optical circuit against mechanical noise.

The Office Action suggests that FIG. 1 of the Hung et al. patent discloses the optical circuit and the shielding unit of claim 1. The Hung et al. patent is directed towards a method and apparatus for interferometric deformation analysis. The apparatus of FIG. 1 is for analyzing a strain pattern on a surface of an object 10 as a result of a stress imposed on object 10 by way of altering an ambient pressure on object 10 (col. 5, lines 19 – 23). The change in pressure may result in a change in position of a surface 20 of object 10 relative to a photographic media (col. 6, lines 54 – 56). Furthermore, object 10 may be caused to vibrate (col. 7, line 56).

Whereas the apparatus of FIG. 1 of the Hung et al. patent **imposes a stress** on objects and **may be caused to vibrate**, it neither describes nor suggests a shielding unit for **shielding against mechanical noise**, as recited in claim 1. In this regard, the Hung et al. patent **teaches away** from the recital of claim 1.

Page 3 of the Office Action (in a discussion of claims 2 – 6) notes that the Hung et al. patent at col. 2, lines 1 – 5, discloses a use of a heavy damped table for isolating an optical apparatus from an external vibration. However, this passage of the Hung et al. patent is describing a holography apparatus, with a suggestion that a use of a heavy damped table is a “relatively severe limitation of holography” (col. 1, line 67). The apparatus of FIG. 1 of the Hung patent is presented as a purported improvement over the holography apparatus.

Nevertheless, the Hung et al. patent, whether discussing the holography apparatus or the apparatus of FIG. 1, does not appear to include either of a description or a suggestion of **an optical circuit for providing an optical signal from and/or to a DUT via a fiber connection**, as is also recited in claim 1.

The Solomon patent is directed towards an interferometer in which negative effects of vibration are substantially reduced if not eliminated (col. 1, lines 52 – 57). The Solomon patent explains that the interferometer proposed therein involves an arrangement of components such that there is considerable tolerance for inaccuracy in component mounting, and since precise mutual alignment of the components is not required, they can be flexibly mounted (col. 4, lines 42 – 47). Thus, the interferometer proposed by the Solomon patent apparently deals with the effects of vibration by way of the arrangement of components, rather than by suppressing the vibration.

Nevertheless, the arrangement of components disclosed by the Solomon patent is not descriptive of the optical circuit of the claimed invention. That is, the Solomon patent does not include either of a description or a suggestion of **an optical circuit for providing an optical signal from and/or to a DUT via a fiber connection**, as is recited in claim 1.

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Consequently, the Hung et al. and Solomon patents, whether considered individually or in combination with one another, neither describe nor suggest an optical circuit for providing an optical signal from and/or to a DUT via a fiber connection, as recited in claim 1. Thus, claim 1 is patentable over the cited combination of the Hung et al. and Solomon patents.

Claims 2 – 14, 16 and 17 depend from claim 1. As such, claims 2 – 14, 16 and 17 are also patentable over the cited combination of references.

Independent claim 15 includes a recital similar to that of claim 1, as described above. Thus, claim 15 is patentable over the cited combination of references for reasons similar to that of claim 1.

Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejection of claims 1 – 17.

Applicants amended claims 1 and 15 to clarify a feature of the optical circuit of the claims and to delete language that does not appear to be necessary for patentability. Applicants amended claims 2 – 9, 11 – 14 and 17 to correct English usage and for purposes of form. None of the amendments is intended to limit the scope of any term of the claims, and as such, Applicants submit that the Doctrine of Equivalents should be available for all of the terms of all of the claims.

On 8 FEB 2002, Applicants filed an Information Disclosure Statement (IDS) that included a PTO-1449 and a copy of a reference. The Office Action does not include a copy of the PTO-1449 to show that the Examiner considered the reference. For the Examiner's convenience, Applicants are enclosing herewith, a copy of the PTO-1449 and a copy of the reference. Applicants are requesting that the Examiner consider the reference and, with the next official communication, include a copy of the PTO-1449 form indicating that the reference has been considered.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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